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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ELIZABETH CARLEY,

Plaintiff,

v.

JO GENTRY, *et al.*,

Defendants.

Case No. 2:17-cv-02670-MMD-VCF

**STIPULATION TO CONTINUE
TRIAL DATE
(First Request)**

Plaintiff Elizabeth Carley, by and through counsel, Lisa. A. Rasmussen, and Defendants, Sheryl Foster, Patrick Vejar, Jo Gentry, James Dzurenda, Charles Daniels, Gabriela Najera, Tanya Hill, Dwight Neven, Cynthia Ruiz, and Kim Thomas, by and through counsel, Aaron D. Ford, Nevada Attorney General, and Douglas R. Rands, Senior Deputy Attorney General, of the State of Nevada, Office of the Attorney General, hereby submit this Stipulation to Continue the trial date in this matter to the Court's December 5, 2023 trial stack based upon the following:

1 1. Counsel for Ms. Carley had a federal criminal trial scheduled to start on July
2 10, 2023. United States v. Litwin, 2:11-cr-347 KJD. At the request of the government, that
3 trial has been moved to September 11, 2023. The trial is a retrial of a case that took four
4 months to try in 2017 and the first trial included 39 witnesses. While the retrial will be
5 pared down, it is still anticipated that it will last several weeks and it is likely to include
6 at least 30 witnesses for the retrial. Preparation for this trial is a substantial undertaking
7 for Ms. Rasmussen.

8 2. This case is scheduled for the August 22, 2023 stack, a three week stack.
9 Further, this trial is anticipated to last five days. The uncertainty of knowing when this
10 trial will actually commence makes it difficult for Ms. Rasmussen because the stack bumps
11 into the Litwin trial. Preparation for the Litwin trial is difficult and requires substantial
12 coordination of witnesses and experts and will undoubtedly involve last minute issues that
13 Ms. Rasmussen cannot address if she is in trial in this case bumping up to the trial in the
14 Litwin case.

15 3. For these reasons, Plaintiff requests that this trial be continued to another
16 stack. Ms. Carley is out of custody and currently living in Texas. She is not opposed to
17 continuing this trial to another stack.

18 4. Additionally, Counsel for the Defendants has three additional trials on the
19 August stacks, two of which are likely to proceed to trial. Due to the preparation for these
20 trials, it would be difficult to go into this trial as currently calendared.

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5. Accordingly, the parties jointly stipulate and request that this trial be moved to the December 5, 2023 stack if convenient to the Court.

DATED this 19th day of July 2023	DATED this 19th day of July 2023
By: <u>/s/ Lisa A. Rasmussen</u> LISA A. RASMUSSEN, Esq. Law Offices of Kristina Wildeveld & Associates 550 E. Charleston Blvd. Las Vegas, Nevada 89101 <i>Attorneys for Plaintiff</i>	By: <u>/s/ Douglas R. Rands</u> DOUGLAS R. RANDS Senior Deputy Attorney General Office of the Nevada Attorney General 555 E. Washington Avenue, #3900 Las Vegas, Nevada 89101 <i>Attorneys for Defendants</i>

ORDER

Upon the Stipulation of the parties, and good cause appearing, IT IS HEREBY ORDERED that the trial in this matter is moved to the three- week trial stack in Las Vegas to commence on December 5, 2023. Calendar call is moved to the 27th day of November, 2023. at 1:00 PM by telephone.

IT IS FURTHER ORDERED that Motions in Limine are to be filed on or before the 6th day of November, 2023.

IT IS FURTHER ORDERED that Jury instructions and final witness and exhibits lists shall be filed on or before the 28th day of November, 2023.

IT IS SO ORDERED.



UNITED STATES JUDGE

DATE: July 19, 2023